

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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FAIR HOUSING JUSTICE CENTER, INC.; JOSHUA :	Index No: 16-CV-5958
ROBINSON; JOHN-MARTIN GREEN; INGA BALLARD :	(ARR) (SLT)
and SAMUEL GATES, :	
Plaintiffs, :	<b>ANSWER ON BEHALF</b>
:-against- :	<b>OF DEFENDANTS</b>
ROBERT RANKELL & MARTIN RANKELL, LP; :	<b>ROBERT RANKELL</b>
ROBERT RANKELL; MARTIN RANKELL; ANASTAS :	<b>and MARTIN</b>
KARAKISIDI; AND FAINA KARAKISIDI, :	<b>RANKELL, LP</b>
Defendants. :	
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Defendants Robert Rankell and Martin Rankell, LP (incorrectly sued herein as Robert Rankell & Martin Rankell, LP) (the “Rankell Defendants”) by their attorneys Boyd Richards Parker & Colonnelli, P.L., answer the Complaint dated October 27, 2016 (the “Complaint”) as follows:

**INTRODUCTION**

1. Deny the allegations set forth in paragraph 1 of the Complaint.
2. Deny the allegations set forth in paragraph 2 of the Complaint.
3. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3 of the Complaint.
4. Deny the allegations set forth in paragraph 4 of the Complaint.
5. Deny the allegations set forth in paragraph 5 of the Complaint.

**JURISDICTION AND VENUE**

6. Neither deny nor admit paragraph 6 of the Complaint as it contains no allegations against the Rankell Defendants and refer all questions of law to the Court.

7. Neither deny nor admit paragraph 7 of the Complaint as it contains no allegations against the Rankell Defendants and refer all questions of law to the Court.

**JURY DEMAND**

8. Neither deny nor admit paragraph 8 of the Complaint as it contains no allegations against the Rankell Defendants and refer all questions of law to the Court.

**PARTIES**

9. Deny the allegations set forth in paragraph 9 of the Complaint.

10. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 10 of the Complaint.

11. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 11 of the Complaint.

12. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12 of the Complaint.

13. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13 of the Complaint.

14. Deny the allegations set forth in paragraph 14 of the Complaint.

15. Deny the allegations set forth in paragraph 15 of the Complaint, except to admit that Robert Rankell is a natural person residing in New York and the managing agent of the building.

16. Deny the allegations set forth in paragraph 16 of the Complaint.

17. Deny the allegations set forth in paragraph 17 of the Complaint, except to admit that Anastas Karakasidi is a natural person residing at the Building who is the superintendent of the Building.

18. Deny the allegations set forth in paragraph 18 of the Complaint, except to admit that Faina Karakasidi is a natural person residing at the Building and, upon information and belief, the wife of the superintendent.

**FACTUAL ALLEGATIONS**

19. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19 of the Complaint.

20. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20 of the Complaint.

21. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21 of the Complaint.

22. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22 of the Complaint.

23. Deny the allegations set forth in paragraph 23 of the Complaint.

24. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 24 of the Complaint.

25. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25 of the Complaint.

26. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 26 of the Complaint.

27. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 27 of the Complaint.

28. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 28 of the Complaint.

29. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 29 of the Complaint.

30. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 30 of the Complaint

31. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 31 of the Complaint.

32. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 32 of the Complaint

33. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 33 of the Complaint

34. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 34 of the Complaint.

35. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 35 of the Complaint.

36. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 36 of the Complaint.

37. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 37 of the Complaint.

38. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 38 of the Complaint.

39. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 39 of the Complaint.

40. Deny knowledge or information sufficient to form a belief as to the truth of the

allegations set forth in paragraph 40 of the Complaint.

41. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 41 of the Complaint.

42. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 42 of the Complaint.

43. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 43 of the Complaint.

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45. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 45 of the Complaint.

46. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 46 of the Complaint.

47. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 47 of the Complaint.

48. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 48 of the Complaint.

49. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 49 of the Complaint.

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61. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 61 of the Complaint.

62. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 62 of the Complaint.

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64. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 64 of the Complaint.

65. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 65 of the Complaint.

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67. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 67 of the Complaint.

68. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 68 of the Complaint.

69. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 69 of the Complaint.

70. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 70 of the Complaint.

71. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 71 of the Complaint.

72. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 72 of the Complaint.

73. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 73 of the Complaint.

74. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 74 of the Complaint.

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80. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 80 of the Complaint.

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82. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 82 of the Complaint.

83. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 83 of the Complaint.

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86. Deny knowledge or information sufficient to form a belief as to the truth of the

allegations set forth in paragraph 86 of the Complaint.

87. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 87 of the Complaint.

88. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 88 of the Complaint.

89. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 89 of the Complaint.

90. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 90 of the Complaint.

91. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 91 of the Complaint.

92. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 92 of the Complaint.

93. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 93 of the Complaint.

94. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 94 of the Complaint.

95. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 95 of the Complaint.

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98. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 98 of the Complaint.

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100. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 100 of the Complaint.

101. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 101 of the Complaint.

102. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 102 of the Complaint.

103. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 103 of the Complaint.

104. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 104 of the Complaint.

105. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 105 of the Complaint.

106. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 106 of the Complaint.

107. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 107 of the Complaint.

108. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 108 of the Complaint.

109. Deny knowledge or information sufficient to form a belief as to the truth of the

allegations set forth in paragraph 109 of the Complaint.

110. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 110 of the Complaint.

111. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 111 of the Complaint.

112. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 112 of the Complaint.

113. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 113 of the Complaint.

114. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 114 of the Complaint.

115. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 115 of the Complaint.

116. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 116 of the Complaint.

117. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 117 of the Complaint.

118. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 118 of the Complaint.

119. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 119 of the Complaint.

120. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 120 of the Complaint.

121. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 121 of the Complaint.

122. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 122 of the Complaint.

123. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 123 of the Complaint.

124. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 124 of the Complaint.

125. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 125 of the Complaint.

126. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 126 of the Complaint.

127. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 127 of the Complaint.

128. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 128 of the Complaint.

129. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 129 of the Complaint.

130. Deny the allegations set forth in paragraph 130 of the Complaint.

**AS AND FOR A RESPONSE TO THE FIRST CAUSE OF ACTION**

131. With respect to paragraph 131 of the Complaint, the Rankell Defendants repeat and reallege the answers set forth above.

132. Deny the allegations set forth in paragraph 132 of the Complaint.

133. Deny the allegations set forth in paragraph 133 of the Complaint.

134. Deny the allegations set forth in paragraph 134 of the Complaint.

135. Deny the allegations set forth in paragraph 135 of the Complaint.

136. Deny the allegations set forth in paragraph 136 of the Complaint.

137. Deny the allegations set forth in paragraph 137 of the Complaint.

138. Deny the allegations set forth in paragraph 138 of the Complaint.

**AS AND FOR A RESPONSE TO THE SECOND CAUSE OF ACTION**

139. With respect to paragraph 139 of the Complaint, the Rankell Defendants repeat and reallege the answers set forth above.

140. Deny the allegations set forth in paragraph 140 of the Complaint.

141. Deny the allegations set forth in paragraph 141 of the Complaint.

142. Deny the allegations set forth in paragraph 142 of the Complaint.

143. Deny the allegations set forth in paragraph 143 of the Complaint.

**AS AND FOR A RESPONSE TO THE THIRD CAUSE OF ACTION**

144. With respect to paragraph 144 of the Complaint, the Rankell Defendants repeat and reallege the answers set forth above.

145. Deny the allegations set forth in paragraph 145 of the Complaint.

146. Deny the allegations set forth in paragraph 146 of the Complaint.

147. Deny the allegations set forth in paragraph 147 of the Complaint.

148. Deny the allegations set forth in paragraph 148 of the Complaint.

149. Deny the allegations set forth in paragraph 149 of the Complaint.

150. Deny the allegations set forth in paragraph 150 of the Complaint.

151. Deny the allegations set forth in paragraph 151 of the Complaint.

**AS AND FOR A RESPONSE TO THE FOURTH CAUSE OF ACTION**

152. With respect to paragraph 152 of the Complaint, the Rankell Defendants repeat and reallege the answers set forth above.

153. Deny the allegations set forth in paragraph 153 of the Complaint and refer all questions of law to the Court.

154. Deny the allegations set forth in paragraph 154 of the Complaint and refer all questions of law to the Court.

155. Deny the allegations set forth in paragraph 155 of the Complaint.

156. Deny the allegations set forth in paragraph 156 of the Complaint.

157. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 157 of the Complaint.

158. Deny the allegations set forth in paragraph 158 of the Complaint.

**AS AND FOR A RESPONSE TO THE FIFTH CAUSE OF ACTION**

159. With respect to paragraph 159 of the Complaint, the Rankell Defendants repeat and reallege the answers set forth above.

160. Deny the allegations set forth in paragraph 160 of the Complaint.

161. Deny the allegations set forth in paragraph 161 of the Complaint.

162. Deny the allegations set forth in paragraph 162 of the Complaint.

163. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 163 of the Complaint.

164. Deny the allegations set forth in paragraph 164 of the Complaint.

165. Deny the allegations set forth in paragraph 165 of the Complaint.

166. Deny the allegations set forth in paragraph 166 of the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

167. The Complaint is barred because Plaintiffs have not been damaged.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

168. The Complaint is barred because Plaintiffs have failed to join all necessary parties.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

169. The Rankell Defendants are not liable for the complained-of actions of Faina and Anastas Karakisidi because they were not employed by or authorized to act on behalf of the Rankell Defendants.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

170. The complained-of actions of Anastas Karakisidi were outside the scope of his employment as superintendent, and performed without the knowledge or consent of the Rankell Defendants or his employer.

**AS AND FOR A FIFTH AFFIRMATIVE DEFENSE**

171. The Complaint was not initiated in good faith and is barred by the doctrine of unclean hands, as the Plaintiffs were aware of and deliberately circumvented the Rankell Defendants and their agents and brokers who were authorized to show and rent apartments, instead seeking out the unauthorized and unlicensed superintendent and his wife for their inquiries.

**AS AND FOR AN SIXTH AFFIRMATIVE DEFENSE**

172. The alleged discrimination did not proximately cause any damage to the Plaintiffs, who did not in fact seek rental housing accommodations.

**AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE**

173. The Complaint must be dismissed as the property at issue is occupied by tenants of diverse races and national origins.

**AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE**

174. To the extent that the allegations concerning the complained-of actions of Defendants Anastas Karakisidi and Faina Karakisidi are accurate, such actions were taken in violation of law, without required licenses, and without any knowledge on the part of the Rankell Defendants or Anastas Karakisidi's employer.

**AS AND FOR A NINTH AFFIRMATIVE DEFENSE**

175. The Complaint must be dismissed to the extent asserted on a *respondeat superior* theory as that doctrine does not apply to discrimination claims and because Defendants Anastas

Karakisidi and Faina Karakisidi do not have an employment relationship with the Rankell Defendants.

**AS AND FOR A TENTH AFFIRMATIVE DEFENSE**

176. Neither Anastas Karakisidi nor Faina Karakisidi had actual authority to rent, show, or market apartments or to act as a broker for the rental, showing or marketing of apartments.

**AS AND FOR AN ELEVENTH AFFIRMATIVE DEFENSE**

177. Neither Anastas Karakisidi nor Faina Karakisidi had apparent authority to rent, show, or market apartments or to act as a broker for the rental, showing or marketing of apartments.

**AS AND FOR A TWELFTH AFFIRMATIVE DEFENSE**

178. The Rankell Defendants did not discriminate against Plaintiffs.

**WHEREFORE**, Defendants Robert Rankell and Martin Rankell, LP, respectfully request a judgment dismissing the Complaint in its entirety with prejudice; and awarding such other and further relief as to this Court deems just, proper and equitable.

Dated: New York, New York  
January 6, 2017

**BOYD RICHARDS PARKER & COLONNELLI, P.L.**  
*Attorneys for the Rankell Defendants*

By:           /s/ Bryan J. Mazzola            
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